

**IN THE UNITED STATES DISTRICT COURT  
FOR THE EASTERN DISTRICT OF TEXAS  
MARSHALL DIVISION**

**PENOVIA LLC,**

Plaintiff,

v.

**GIGASET COMMUNICATIONS INC.,**

Defendant.

Case No. 2:13-cv-776

**PATENT CASE**

**JURY TRIAL DEMANDED**


**DECLARATION OF CRAIG TADLOCK IN SUPPORT OF PLAINTIFF'S  
MOTION FOR CLERK'S ENTRY OF DEFAULT AGAINST  
DEFENDANT GIGASET COMMUNICATIONS INC.**

Craig Tadlock, being duly sworn, deposes and states as follows:

1. My name is Craig Tadlock. I am over the age of eighteen and fully competent to make this affidavit.
2. I am an attorney of record in the above referenced case for Plaintiff Penovia LLC.
3. Defendant Gigaset Communications Inc. ("Gigaset") is a party against whom a judgment for patent infringement is sought.
4. Based on my review of the records in this case, (a) Gigaset was served pursuant to Federal Rule of Civil Procedure 4(h)(1)(A) on October 7, 2013; (b) the return of service was properly filed with the Court (Dkt. No. 7); and (c) Gigaset's Answer was due on October 28, 2014.
5. Upon information and belief, (a) Gigaset is a Delaware corporation with an office located in Texas at 4849 Alpha Road Dallas, Texas 75244; (b) Gigaset is neither an infant (under age 21) nor an incompetent person; and (c) Gigaset is not in the active military service of the United States of America, nor are its officers or agents now or six months prior to the filing of this case.
6. The Court has personal and subject matter jurisdiction over this matter.
7. Gigaset has failed to plead or otherwise defend as required by Fed. R. Civ. P. 12, and no extension has been granted by the Court.
8. The Clerk is requested to enter default against Gigaset.

I hereby declare under penalty of perjury that the foregoing is true and correct.

Dated: November 27, 2013



---

Craig Tadlock